

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

<b>ROBERT THOMAS,</b>	:	<b>Civil No. 1:19-cv-0840</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>LAUREL HARRY, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	<b>Judge Sylvia H. Rambo</b>

**ORDER**

Before the court is a report and recommendation of Magistrate Judge Carlson (Doc. 29) addressing a renewed motion to dismiss filed by the defendants and a summary judgment motion filed by the plaintiff. (Docs. 26 & 28.) Objections to the report and recommendation were due on July 6, 2020, and to date, no objections have been filed.

In considering whether to adopt a report and recommendation when no objections have been filed, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error). Following an independent review of the record and upon a careful review of the report and recommendation, the court is satisfied that the report and

recommendation contains no clear error and will therefore adopt the recommendation. Accordingly, **IT IS HEREBY ORDERED AS FOLLOWS:**

- 1) The report and recommendation (Doc. 29) is **ADOPTED**;
- 2) Plaintiff's motion for summary judgment (Doc. 28) is **DENIED**;
- 3) Defendants' motion to dismiss Plaintiff's amended complaint (Doc. 26) is **GRANTED**;
- 4) Plaintiff's amended complaint is **DISMISSED WITH PREJUDICE**;
- 5) The Clerk of Court is directed to close this case.
- 6) Any appeal from this order is deemed frivolous and not in good faith.

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge

Dated: August 31, 2020